

**REMARKS**

In the Restriction Requirement mailed July 15, 2005, the Examiner has restricted the claims to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-13 and 21-25, drawn to a method for retaining oil in germ while separating a pericarp/starch fraction and the germ resulting from said process, classified in class 426, subclass 489.
- II. Claim 14, drawn to a germ product, classified in class 426, subclass 629.
- III. Claims 15-20, drawn to a separation system, classified in class 99, subclass 537.

Applicant elects, with traverse, Group I, claims 1-13 and 21-25. Applicant respectfully cancels claims 14 (Group II) and 15-20 (Group III) without prejudice or disclaimer, and reserves the right to reintroduce them in one or more Divisional applications at a later date.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/707,654

Filing Date: December 30, 2003

Title: PROCESS FOR OBTAINING BIO-FUNCTIONAL FRACTIONS FROM BIOMASS

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Dkt: 1865.013US1

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6976 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 12 Aug 05 By J M Kalis  
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of August, 2005.

Kate Gannon  
Name

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Signature